IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SIXTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 19767 of 2004

Between:

M. Chenna Reddy S/o late M. Chenna Reddy
R/o House NO. 2/39 Tankbund Road, Yemmiganur

..... PETITIONER

AND

1 The Superintendent of Police, Kurnool District
2 The Circle Inspector of Police, Yemmigandu Circle Office, Yemmiganur
3 The Town Sub-Inspector of Police, Town Police Station, Yemmiganur
4 G. Ram Kumar S/o Late G. Rangappa H.NO. 7-IIIA, Nirmal Nagar, Kurnool

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd and 3rd Respondents in involving in the dispute which is purely civil in nature and insist for the payment to be made by the petitioner to the 4th Respondent basing on the mortgage deed is illegal, arbitrary and violative of principles of natural justice and consequently direct the respondents not to harass the petitioner by calling upon him to the police Station in a case where the Respondents have no jurisdiction.

Counsel for the Petitioner: MR.K.V.RAGHU VEER, Advocate (not present)

Counsel for the Respondent Nos.1 to 3: The GP FOR HOME

Counsel for the Respondent No.4: --

The Court at the stage of admission made the following :

ORDER:

None appears for the petitioner. Heard the learned Government Pleader for Home appearing on behalf of respondent Nos.1 to 3.

This writ petition is filed seeking to declare the action of respondent Nos.2 and 3 in interfering with civil disputes and insisting for the payment to be made by the petitioner to respondent No.4 basing on a mortgage deed, as illegal and arbitrary, and consequently to direct the respondents not to harass the petitioner by calling him to the police station in a case where the respondents have no jurisdiction.

A counter-affidavit is filed on behalf of respondent Nos.1 to 3 denying the allegations made in the affidavit filed in support of the writ petition. It is stated that the disputes between the petitioner and respondent No.4 are civil disputes and the official respondents have nothing to do with them. The allegation that respondent Nos.2 and 3 at the instance of respondent No.4, called the petitioner to police station on 19-10-2004 and retained him in the station till evening and threatened him to return the money to respondent No.4 within one week or else to be ready to face dire consequences, is false and baseless and hence denied. It is stated that as on date no complaint whatsoever has been received with regard to the disputes between the petitioner and respondent No.4.

In view of the above averments in the counter-affidavit filed on behalf of respondent Nos.1 to 3, no further orders are required to be passed in this writ petition. Accordingly, the writ petition is closed. No costs.

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N.V. RAMANA, J

Date: 26-4-2005

Svv

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Superintendent of Police, Kurnool District
2 The Circle Inspector of Police, Yemmigandu Circle Office, Yemmiganur
3 The Town Sub-Inspector of Police, Town Police Station, Yemmiganur
4. Two C.Cs. to the Government Pleader for Home, High Court Buildings,

Hyderabad. (O.U.T.)

5. Two CD copies

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